

1 THE HONORABLE JOHN H. CHUN
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 THE PHOENIX INSURANCE
11 COMPANY, a foreign insurance company,

12 Plaintiff,
13 v.

14 OTAK, INC. an Oregon Corporation, THE
15 CITY OF RIDGEFIELD, a municipality
16 and ROGER SINCLAIR, an individual.

17 Defendants.

18 No. 3:23-CV-5125-JHC

19 **ORDER GRANTING THE DISMISSAL
20 OF ROGER SINCLAIR WITHOUT
21 PREJUDICE**

22 Before the court is Plaintiff The Phoenix Insurance Company's (hereinafter "Phoenix")
23 Motion to Dismiss Roger Sinclair Without Prejudice. Dkt. # 22. The Court has reviewed all of
24 the briefing and materials submitted by the parties including:

1. Phoenix's Motion to Dismiss Roger Sinclair Without Prejudice;
2. The Declaration of N. Chance Laboda in Support of Phoenix's Motion to Dismiss
Roger Sinclair Without Prejudice and the exhibit(s) attached thereto; and
4. Phoenix's Reply In Support of Phoenix's Motion to Dismiss Roger Sinclair
Without Prejudice.

25 Having considered the foregoing, as well as the records and pleadings already on file, it is
26 hereby ORDERED that Phoenix's Motion to Dismiss Roger Sinclair Without Prejudice is
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1 GRANTED, Defendant Roger Sinclair is dismissed without prejudice, and the dismissal is
2 effectuated without an award of fees or costs to any party.

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4 DONE IN OPEN COURT this 13th day of July, 2023.

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6 The Honorable John H. Chun

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10 Presented By:

11 LETHER LAW GROUP

12 /s/ Thomas Lether
13 Thomas Lether, WSBA #18089

14 /s/ N. Chance Laboda

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